

REMARKS

Entry of this Amendment and reconsideration are respectfully requested in view of the amendments made to the claims and for the remarks made herein.

Claims 1-19 are pending and stand rejected.

Claims 1, 2, 11, 14 and 19 are independent claims.

Claims 1, 12, 13 and 16 have been amended.

Claims 12 and 16 are objected to for including informalities. Claims 1-19 stand rejected under 35 USC 103(a) as being unpatentable over Kashiwagi (USP no. 6,907,190) in view of Yamauchi (USP no. 6,088,507).

Applicant thanks the Examiner for his observation regarding the informalities contained in claims 12 and 16 and has amended the claims to correct the errors noted. In addition, the applicant has noticed informalities in claims 1 and 13 and has made appropriate correction therein.

For the amendments made to the claims, applicant submits that the reason for the objection has been overcome.

Applicant respectfully disagrees with and explicitly traverses the rejection of claims 1-19 under 35 USC 103 as being unpatentable over Kashiwagi in view of Yamauchi.

In rejecting the claims, the Office Action refers to Kashiwagi for teaching the elements recited in the claims. More specifically, the Office Action refers to Kashiwagi for disclosing "recording a multimedia bitstream to a recording medium" (i.e., "method for recording an information stream on a record medium"), "the multimedia bitstream including multiangle data" (i.e., "the information stream comprising a plurality of alternative streams") and "the data is interleaved" ("wherein the alternative streams of the information stream are recorded in an interleaved manner."). The Office Action refers to Yamauchi for teaching the elements of "the information stream comprising at least one common part ... a processor dividing each of the common information stream

parts into common information stream blocks, ... each interleaved unit comprising one corresponding block of each of the common information stream parts... the common information stream blocks being separate from the alternative information stream blocks."

Kashiwagi discloses a reproduction apparatus to which are input one or more system streams interleaving at least moving picture data and audio data, and system stream connection information that includes a system clock generator for producing the system clock that is use as the system stream reproduction reference clock. Kashiwagi further discloses that the multimedia source data includes audio, video and sub-picture data (see col. 7, lines 31-32). Kashiwagi further discloses a scenario editor 100 that enables a user to provide editing instructions. The editing instructions allow for the "user's manipulation of the video, sub-picture and audio components." (see col. 7, lines 49-50). Kashiwagi discloses that "source data is selected from all or a subset of the source data containing plural titles within a defined time period and the selected source is reassembled to reproduce the scenario intended by the user." (see col. 7, line 66— col. 8, line 2).

The format of the selected data is compiled in video object units (VOBU) which comprise q cells, with each cell comprising r video objects. Each VOB thus comprises plural groups of pictures (GOP) and the audio and sub-pictures page corresponding to the playback of the plural GOP. (see col. 22, lines 22-23).

Thus, Kashiwagi teaches a system wherein the user selects video, audio and system data that is to be stored on the recording medium and the data is stored in video units containing video, audio and sub-picture data.

With regard to multi-scene processing, (which is shown with regard to Figure 2), Kashiwagi discloses "scenes 1, 5 and 8 are the common scenes of the basic scene periods. The multi-angle scenes (angles 1, 2 and 3) between scenes 1 and 5 and the parental locked scenes (scenes 6 and 7) between scenes 5 and 9 are the multi-scene periods. Scenes taken from different angles, i.e., angles 1, 2, and 3 in this example, can be dynamically selected and

reproduced during playback in the multi-angle scene period. In the parental locked scene period, however, only one of the available scenes, scenes 6 and 7, having different content can be selected and must be selected statically before playback begins. Which of the scenes from the multi-scene periods is to be selected and reproduced is defined by the user operating the scenario selector." (see col. 33, lines 46-65).

Based on the format taught by Kashiwagi, each of the video units associated with the scenes in the multi-scene period must contain the video information associated with the scene and the corresponding audio and sub-picture information. That is, the audio part associated with the scene is recorded for each of the video units associated with each of the scenes in the multi-part scene.

Yamauchi discloses a multimedia optical disc including a data area and a management information area. The data area stores a plurality pieces of video data. The management information area stores a channel table in which a plurality of logical channel numbers are respectively related to a plurality of physical channel numbers for each piece of video data. A piece of moving picture data and a plurality pieces of sub-data are interleaved in each piece of video data. The sub-data is either of audio data and sub-picture data as still pictures.

Referring to Figure 3, Yamauchi disclose a VOB (video object) including a video data, three associated audio data and two associated SP data. The audio data represent audio associated with the video data within the VOB.

Thus, Yamauchi discloses a format for a VOB wherein a plurality of audio data (and SP data) are associated with a video data included in the VOB.

However, neither Kashiwagi nor Yamauchi provides any teaching or suggestion of including a plurality of video and audio data within a VOB, wherein the video data is associated with alternative views and the audio data is common to the alternative views, as is recited in the claims.

Even if the plurality of audio data of Yamauchi were incorporated into the teaching of Kashiwagi, the combination would result in a VOB that includes

video data and a plurality of associated audio data, and each alternative view (i.e., multi-scene) would be represented by a VOB including one of the alternative views and associated audio data.

Thus, contrary to the assertion made in the Office Action, the combination of Kashiwagi and Yamauchi fails to disclose the element of "each interleaved unit comprising one corresponding block of each of the common information stream parts and one corresponding block of each of the alternative information streams."

A claimed invention is *prima facie* obvious when three basic criteria are met. First, there must be some suggestion or motivation, either in the reference themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine the teachings therein. Second, there must be a reasonable expectation of success. And, third, the prior art reference or combined references must teach or suggest all the claim limitations. However, the Court in KSR v. Teleflex (citation omitted) has held that the teaching, suggestion and motivation test (TSM) is merely to be used as a helpful hint in determining obviousness and a bright light application of such a test is adverse to those factors for determining obviousness enumerated in the Graham v. John Deere (citation omitted).

In this case, even if there were some motivation to combine the teachings of the cited references, the combination of Kashiwagi and Yamauchi fails to disclose a material element recited in the independent claims and, thus, the combination of the cited references cannot be said to render obvious the subject matter recited in each of the independent claims.

For the arguments presented, herein, applicant submits that the rejection of the independent claims has been overcome.

With regard to the rejection of the remaining claims, which depend from the independent claims, applicant submits that the remaining claims are not rendered

obvious by the device created by the combination of Kashiwagi and Yamauchi by virtue of their dependency from an allowable base claim.

For the amendments made to the claims and for the remarks made herein, applicant submits the rejection of the claims has been overcome and respectfully requests that each of the objections and rejections be withdrawn. Issuance of a Notice of Allowance is respectfully requested.

With regard to the amendments made to claims, applicant submits that the amendments made to the claims are made to correct errors in form and do not introduce any subject matter that would require another search to be performed. Accordingly, even though the instant Office Action has been made final, the amendments to the claims should be entered.

Applicant denies any statement, position or averment stated in the Office Action that is not specifically addressed by the foregoing. Any rejection and/or points of argument not addressed are moot in view of the presented arguments and no arguments are waived and none of the statements and/or assertions made in the Office Action is conceded.

Applicant makes no statement regarding the patentability of the subject matter recited in the claims prior to this Amendment and has amended the claims solely to facilitate expeditious prosecution of this patent application. Applicant respectfully reserves the right to pursue claims, including the subject matter encompassed by the originally filed claims, as presented prior to this Amendment, and any additional claims in one or more continuing applications during the pendency of the instant application.

In the event the Examiner deems personal contact desirable in the disposition of this case, the Examiner is invited to call the undersigned attorney at the telephone given below.

Respectfully submitted,
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